

**WO** IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

CR-09-125-01-PHX-NVW

v.

ORDER OF DETENTION

Carlos Cernak,

Defendant.

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), the issue of detention was submitted to the Court.

The Court incorporates and adopts by reference the assessment of nonappearance/danger findings of the Pretrial Services Agency which were reviewed by the Court at the time of the hearing in this matter.

Defendant does not dispute the information contained in the Pretrial Services Report

The Court concludes, by a preponderance of the evidence, that defendant is a flight risk and requires detention pending trial.

The Court also concludes, by clear and convincing evidence that defendant is a danger to others and the community and requires detention pending trial.

No condition or combination of conditions will reasonably assure the appearance of defendant as required or reasonably assure the safety of others and the community.

IT IS THEREFORE ORDERED that defendant be detained pending further proceedings. 18 U.S.C. §3143; Rules 32.1(a)(1) and 46(c), Federal Rules of Criminal Procedure.

DATED this 4th day of February, 2009.



Edward C. Voss  
United States Magistrate Judge